

**ORDER PASSED BELOW EXH. 1 IN CRIMINAL M.A.  
NO.2277/2019.**

1) This is an application for condonation of delay in filing charge-sheet on the grounds mentioned in the application. The sum and substance of the application revealed that the offence took place in the year 2002. The accused is alleged to have committed an offence punishable under Section 66 (b) of the Maharashtra Prohibition Act. As per the period of limitation provided under Section 468 (2) of the Code of Criminal Procedure, the police ought to have filed the charge-sheet within the stipulated period. The charge-sheet is however, filed in the year September-2019 along with application for condonation of delay, which is absolutely time barred. The Investigating Officer has not put forth justifiable grounds for condoning the delay of more than 18 years in filing the charge-sheet within the prescribed period of limitation. The grounds as mentioned by the Investigating Officer for delay in filing the charge-sheet within the period of prescribed limitation are not properly explained and do not appear to be satisfactory. The Investigating Officer has not put forth strong reasons for his due diligence to file the charge-sheet within the period of limitation.

2) The offence punishable under Section 66 (b) of the Maharashtra Prohibition Act provides the punishment for a first offence with imprisonment for a term which may extend to six months/three years and also with fine. For want of sufficient and reasonable grounds, I am of the view that delay in filing charge-sheet cannot be condoned. Even, nobody appeared from the side of Prosecution to argue on this application, till today. The reasons as stated by the Investigating Officer for extending the period of limitation for taking cognizance of the offence do not seem to be genuine one. Hence, I pass the following order -

**ORDER**

The application is rejected.

[Pratik V. Kapadia]

Date – 20-01-2020.

Judicial Magistrate F.C., Solapur.

**C E R T I F I C A T E**

I affirm that the contents of this PDF file Order / Judgment are same word to word, as per the original Order / Judgment.

Name of the Stenographer : A. S. Bakale

Court : 8<sup>th</sup> Jt. Civil Judge J. D. &  
J.M.F. C., Solapur.

Judgment / Order signed by the : 20.01.2020

Presiding Officer on

Judgment / Order uploaded on : 20.01.2020